

CONTINUOUS ACTION
U.S. COPYRIGHT ROYALTY JUDGES
ORIGINAL WASH. D.C.

PG 1 of 9

DETERMINATION OF ROYALTY RATES &
TERMS FOR PERFORMANCE OR DISPLAY
OF NONDRAMATIC MUSICAL WORKS &
PICTORIAL, GRAPHIC, & SCULPTURAL
WORKS BY PUBLIC BROADCASTING
ENTITIES (PBH)

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AN OBJECTION COUNTERMAND VERIFIED MOTION
TO VACATE & OTHER SUA SPONTE OMNIBUS MOTION
ORDERED FOR JOINT PROPOSAL, NOTICE OF
SETTLEMENT, & STATUS REPORT EX-PARTE

I DAVID POWELL PRO SE EX-PARTE MOTION AS ONE
OF THE NONSETTLING CLAIMANTS. A TIMELY
MANIFEST REVERSIBLE ERROR OBJECTION FOR 2018-
2022, BY SETTLING PARTIES AS LICENSEES. DAVID POWELL
ADVISES JUDGES OF THE EXISTENCE OF A SIGNIFICANT
INTEREST IN ALL PROCEEDINGS. AS A MATTER OF RECORD
MISSING EVIDENCE RULE AS UNFAVORABLE TO SETTLING
PARTIES PROVED UP COUNTERMAND.

I PRO SE DAVID POWELL OWN THE TITLE¹⁵ COPYRIGHT
1-INFINITY ESP. 17 OUTRIGHT AS A MATTER OF RECORD.
PRO SE MOTION EXIGENT MONEY DEMAND PAYMENT
ORDERED SUA SPONTE NOW, FUTURE, & PAST ARREARS. FOR
40% OF THE STATUTORY RATES & TERMS 2018-2022,
MADE & DISTRIBUTED BY OR ON BEHALF OF SETTLING PARTIES.
AND FOR ALL OTHER LICENSES AS WELL KNOWN AND
UNKNOWN. AS A BONUS & OR ROYALTY PAYMENTS CONTINUOUS
FROM ANY SETTLING CLAIMANTS IN ANY ALL PROCEEDINGS
AS A MATTER OF RECORD. 18 USCA CHAPTER 119 SECT. 250-2522.

RATES & TERMS CAN NOT BE MADE W/O ADDRESSING THE
OWNER TITLE¹⁵ & COMPULSORY LICENSE VESTED RIGHTS. THE
CAUSATION PROOF EXIST OF INTERLOPER CONGRESS
CRIMINAL COERCION CAHOOTS W/ CORP'S. PIERCING THE
CORPORATE VEIL LOBBING ACT 12 USCA § 261 ACTIVE
CONCEALMENT COMPLICITY W/ CABLE & SATELLITE PHASE I & II
PERVERSIVE UNLAWFUL EXISTED CONDITIONS.

TO BLACKLIST MR. POWELL PERMANETLY
 OBSTRUCTION OF JUSTICE. SETTLING PARTIES W/HOLDING
 UNFAVORABLE EVIDENCE ONGOING. RETILATORY COERCED
 CONDUCT BAD FAITH DEALINGS INJURY IN FACT OF ALL
 SETTLING PARTIES ESP. BMI TO NO SETTLEMENT & OR
 SETTLE UP W/PRO SE CLAIMANTS.

PRO SE HAS SHOWN SPOILATION LEGAL PREJUDICE
 EXISTED W/BMI EXCLUSION OF MR. POWELL IN NOTICE OF
 LICENSES SETTLEMENT & THEIR STATUS REPORT. PRO SE
 STATUS REPORT PROVED UP BMI INC WILLFUL MISCONDUCT
 PREDICATED PATTERN. TO SYSTEMATIC BLACKLIST MR.
 POWELL IN ROYALTY FEES CATEGORIES I, II, III EXCLUSION
 NEGOTIATED PERIOD ENDED W/BMI LETTER 7.1.2016. AS
 JOINT TRESPASS SETTLING PARTIES CAHOOTS W/BMI IN THIS
 PROCEEDINGS & OR ALL OTHER PROCEEDINGS W/BMI INC.. TO
 DENY AND EXCLUSION MR. POWELL FROM HIS COMPULSORY
 LICENSES ROYALTY PAYMENTS. AS COCONSPIRATOR(S) JOINT
 LIABILITY SETTLING PARTIES W/BMI INC. THEFT BY
 DECEPTION COMPLICITY IN A CHAIN SEDITIONS
 CONSPIRACY. TO INCLUDE IN CONSPIRACY ALSO BMI INC.
 JOINT PROPOSAL W/SETTLING PARTIES DATED 7.8.2016, IN
 RETILATORY PATTERN CONDUCT PROVED UP PERVASIVE.

THUS, CRIMINAL INTENT BAD MOTIVES AGAINST
 CLAIMANT ZONE OF INTEREST STANDING & THIRD PARTY
 STANDING. MR. POWELL ACTUAL INJURY PROTECTED BY
 STATUTES & CONSTITUTIONAL GUARANTEES PROVED UP
 WILLFUL BLINDNESS NONDISCLOSURE. IN ADDITION, TO
 INCLUDE A CLASS-BASED ANIMUS ESSENTIAL ELEMENT OF
 CIVIL RIGHTS CONSPIRACY CASE. AS AN REBUTLE OF A PRIMA
 FACIE CASE PRESUMPTION W/HARD-LOOK DOCTRINE IN ALL
 PROCEEDINGS W/BMI INC. & PINKERTON RULE COCONSPIRATORS.

CHILLING EFFECTS CONSPIRACY LEGAL PREJUDICE
EXCLUSION SMOKEING GUN IS A MATTER OF RECORD. THE
SWINDLERS PARTICIPATING CORPORATION(S) WILLFUL
COPYRIGHTS CRIMINAL CONTRIBUTORY INFRINGEMENT.
PRO SE CLAIMANT ATTEST TO BMI INC. & SETTLING
PARTIES TWO OR MORE ALLIED OFFENSES ELEMENTS
OF A CRIME. TO INCLUDE MAIL & WIRE FRAUD EXIST.

TO WHICH A COVER UP SUBTERFUGE PLAN TO AVOID
COMPLICITY ACTS LIABILITY. AS A RESULT OF BMI INC.,
^{HARRY FOX AGENCY} ASCAP, SESAC JOINT TRESPASS STRONG ARM UN DUE
INFLUENCES CRIMINAL INTENT. TO WHICH PREDICATED
REPEATED ACTS W/ ACCOMPLICE LIABILITY ACTS FOR
NONFEASANCE PATTERN FOR BEARANCE. DURING ALL
PROCEEDINGS VOLUNTARY NEGOTIATING PERIODS W/
REFUSAL TO DEAL BOYCOTT IS USCA §§ 1-7 AGAINST MR.
POWELL & CIRCLE GOD NETWORK INC. AS CLAIMANTS.

DUE TO SETTLING PARTIES ESP. BMI INC NECESSARY
IMPLICATION OF PRICE FIXING & REFUSAL TO DEAL. THRU
THEIR AFFIRMATIVE WILLFUL MISCONDUCT CULPABILITY.
TO MISLEAD ROYALTY JUDGES TOWARDS THE SETTLING
PARTIES & BMI INC. DESIRED UNLAWFUL CONDITIONS. TO
IMPINGE ON CLAIMANTS MR. POWELL VESTED RIGHTS
IN CIVIL CHAIN & SEDITIONOUS CONSPIRACY PRIMA FACIE IN
ALL PROCEEDINGS. DEALING W/ MR. POWELL COMPULSORY
LICENSE, & OR LICENSOR, EXCLUSIVE LICENSE, LICENSEE,
LICENSING INESCAPABLE PERIL IS PERVASIVE.

CLAIMANTS MR. POWELL & CIRCLE GOD NETWORK INC,
STRONGLY CORROBORATED THEIR EVIDENCED. IN THIS STATUS
REPORT AS A BOYCOTTED NONSETTLING CLAIMANTS.
PROVED UP ESTABLISHED PATTERN ACTS ON GOING,
ANTI TRUST CIVIL PROCESS ACT IS USCA §§ 1311 ET SEQ..

THIS DIRECT INJURY TO CLAIMANTS W/INTENT TO EVADE THE LAW. CULPABLE NECESSARY IMPLICATION BMI INC. STRATEGIC ALLIANCES WASCAP, SEAC, & ALL OTHER PARTICIPANTS IN THIS & ALL OTHER PROCEEDINGS CA HOOT CONSPIRACY. TO BLACKLISTED & BOYCOTT MR. POWELL AND CIRCLE GOD NETWORK INC. W/ NAMED CORP'S ABOVE & THEIR LAWYER(S) INCHOATE JOINT OFFENSES REFUSAL TO DEAL. IN THIS & EVERY OTHER PAST & FUTURE VOLUNTARY NEGOTIATION PERIODS. THIS IS A PREDICATED PATTERN OF MR. POWELL INESCAPABLE PERIL AS A CLAIMANT W/ SIGNIFICANT INTEREST NOT DOCUMENTS (SEE ATT.).

THIS VERIFIED OMNIBUS MOTION SUASPONTE ORDERED FOR PRO SE CLAIMANT(S). THIS IS AN EQUITABLE ESTOPPEL IMMEDIATE BREACH W/ VEXATIONOUS DELAY TO SUCCEED FOR ROYALTY PAYMENTS TO PRO SE CLAIMANT(S) BY ALL SETTLING PARTIES. IN THIS & ALL OTHER PROCEEDINGS KNOWN & ALL UNKNOWN, ANTECEDENT CLAIMS UCC § 3-303.

THIS IS BASED ON LEGAL PREJUDICE & CRIMINAL INTENT GROUNDS SHOWN METUS ECONOMIC & MORAL DURESS TO CLAIMANT(S) VALID CLAIMS PROOF. THUS, BMI INC. AND SETTLING PARTIES GROSS NEGLIGENCE PER SE IS ESTABLISHED PERMANENTLY. THAT MR. POWELL, CEN INC. LIBERTY INTEREST IS PROTECTED BY DUE PROCESS. AN JUDGES MISLED TO UNREASONABLE DECISIONS IS CURED FOR CLAIMANT(S) BY ADMINISTRATIVE COLLATERAL ESTOPPEL SUASPONTE ORDERED MOTION BY PRO SE.

THAT IS BASED ON BMI INC. & SETTLING PARTIES REFUSAL TO DEAL CONCERTED ACTIONS LEGAL COLLUSION PREJUDICE IS SHOWNED. THAT JUDGES PERFECT DUTY TO ACT ON A STATUTORY PURE OBLIGATIONS & IMMEDIATELY ENFORCED ROYALTY PAYMENTS & FEES TO CLAIMANT(S).

DUE TO MR. POWELL & CIRCLE GOD NETWORK INC. BURSTING BUBBLE THEORY HAVE REBUT CONTRADICTED BY CREDIBLE EVIDENCE CRIMINAL INTENT. THE ROYALTY JUDGES MUST REPORT UNLAWFUL CONDITIONS OF POSITIVE & NEGATIVE MISPRISION RACKETEERING PATTERN FRAUDULENT CONCEALMENT. TO THE FBI AS TO NOT GIVE THE APPEARANCE BY ROYALTY JUDGES; OF NONFEASANCE IMPLICATION NEGATIVE ACTS FORTIA FORBEARANCE INFERENCE COMPLICITY SUASPONTE MOTION ORDERED MISCONTINUANCE PREDICATED ACTS.

AS NOT TO CRIMINALLY IMPINGE ON PROSE CLAIMANTS COMPULSORY LICENSE & ALL OTHER LICENSES VESTED RIGHTS. DUE TO BMI INC, ASCAP, SEAC, AND OTHER SETTLING PARTIES CONCERTED ACTIONS FORTIA FORCED USED HIDING & ABETTING ACCESSORY TO MISCONTINUANCE ORDERED. TO MISLEAD ROYALTY JUDGES TOWARDS UNLAWFUL CONDITIONS & UNREASONABLE DECISIONS RETILATORY WILLFUL PATTERN MISCONDUCT. IN THIS AND ALL OTHER PROCEEDING DENYING PROSE CLAIMANT(S) EXIGENT MONEY DEMAND ROYALTY PAYMENTS.

BASED ON LEGAL CLAIMED GROUNDS SUBSTANTIATED TRUTH ESTABLISHED REPEATED LEGAL PREJUDICE SHOWNED TO BLACKLIST & BOYCOTT CLAIMANTS. A PROBATIVE VALUE IS SUBSTANTIALLY OUTWEIGHED BY THE DANGER OF UNFAIR PREJUDICE TOWARDS MR. POWELL & CEN INC., BY SETTLING PARTIES CONVIYANCE & JUDGES DISCRETION MISLEAD TOWARDS FORBEARANCE CONNIVE STILL EXISTED. PRO SE OMNIBUS OBJECTION MOTION & OR SUASPONTE ORDERED IN-LITMINE IN NUBIBUS ZONE OF INTEREST STANDING & THIRD PARTY UNDER THE PROTECTION OF THE LAW. TO INCLUDE PREEXISTING SUBSCRIPTION SERVICE.

CONCLUSIVE STATUTORY PRESUMPTION NONFEASANCE
 NONDISCLOSURE IS PREEXISTING & ADMINISTRATIVE
 AGENCY ROYALTY JUDGES IS DUTY BOUND TO CURE. A
 SUGGESTION OF ERROR ASSERTED COMPULSORY
 COUNTERCLAIM SUBMISSION TO A SPECIAL FINDING OF
 FACTS. PERVASIVE MALICIOUS ACTS CAUSATION STILL
 EXIST MEANS, MOTIVE, AND OPPURTUNITY. THUS A REASONABLE
 COUNTERMAND TO VACATE VERIFIED MOTION IN THIS
 STATUS REPORT GIVEN. BECAUSE OF BMI INC. ^{HARRY FOX AGENCY} SEAC,
 ASCAP & OTHER SETTLING PARTIES AS COCONSPIRATORS
 UNDUE INFLUENCES, POWER, REFUSAL TO DEAL, BOYCOTT,
 AND BLACKLISTED CLAIMANT(S). IN THEIR NOTICE OF
 SETTLEMENT, STATUS REPORT, & JOINT PROPOSAL DATED 7.1,
 8.2016 DURING VOLUNTARY NEGOTIATION PERIODS.

ALSO TO INCLUDE OTHER RELATED PROCEEDINGS KNOWN
 AND UNKNOWN. SUCH AS 2011-2 CRB NCEB, 2011-2 CRB
 NCEB, 14-CRB-0006 DART 5R (CO/FA) 2013, 16-CRB-0010-SD
 (2014), 16-CRB-0001-SRIP55R (2018-2022, 16-CRB-0003-PR
 (2018-2022). IN ESCAPABLE PERIL TO SETTLE UP, ESP.
 SOUND EXCHANGE INC, BMI INC, ^{HARRY FOX AGENCY} ASCAP, SEAC. EXCLUSION
 TO HAVE NO SIGNIFICANT INTEREST IS BASELESS, W/O
 MERIT, & MOOT. A DECLARATION IN CONTROVERSY EXIST.

A PRO SE COUNTERAFFIDAVIT DECLARATION IN CHIEF
 ENCUMBRANCE W/ CLAIM OF RECOGNIZANCE. SUA SPONTE
 MOTION CLAIM OF RELIEF REDRESS FOR MULTIPLE DEPENDENT
 CLAIMS ON RECORD. EXISTENT MONEY DEMAND SUA SPONTE MOTION
 ORDERED FOR ROYALTY, FEES, & BONUS 2018-2022, 2016-2020, &
 ARREAS 2000 - CURRENTLY CLAIM & DELIVERY. FROM BMI INC,
^{HARRY FOX AGENCY} ASCAP, SEAC, & SOUND EXCHANGE \$200 BILLION FR. EACH, OTHER
 SETTLING PARTIES 100 BILLION FROM EACH, THIRD PARTY STANDING
 20 BILLION EACH. A PRAYER FOR RELIEF W/ AN ADDITIONAL SPECIAL
 GENERAL PRAYER FOR RELIEF.

ADDITIONAL SUPPLEMENTAL APPURTENANCE
 CABLE & SATELLITE IN ALL PAST, CURRENT, & FUTURE
 PROCEEDINGS. A COUNTERAFFIDAVIT SIGNIFICANT INTEREST
 VALID CLAIM FOR MR. POWELL & CIRCLE GOD NETWORKING.
 DECLARATION IN CONTROVERSY. BASED ON GROUNDS BAD
 MOTIVES CRIMINAL INTENT COCONSPIRATORS SETTLING
 PARTIES (EXH. A) LIST. JOINT TRESPASS, ACCOMPLICE
 LIABILITY, CHAIN, & SEDITIONOUS CONSPIRACY PREDICATED
 ACTS IN VOLUNTARY NEGOTIATED PERIOD. THRU SUBVERSIVE
 ACTIVITY COMPLICITY ALLIED OFFENSES SUBTERFUGE
 CLEVER PLAN PATTERN NECESSARY IMPLICATION IN A
 SECRET UNDERHANDED PERVASIVE UNLAWFUL CONDITIONS.

TO MISLEAD ROYALTY JUDGES TOWARDS (FORTIA ACCESSORY
 FORCE AID & ABET) UNLAWFUL CONDITIONS. TO ALLOW
 SETTLING PARTIES TO COMMIT THE CRIMES. FOR WHICH
 ROYALTY JUDGES ARE NOW AWARE OF (EXHIBIT A) POSITIVE
 MISPRISION OF FELONY & DUTY BOUND TO CURE. A SUA SPONTE
 MOTION BY CLAIMANT PROSE UNREASONABLE DECISION
 ADMINISTRATIVE COLLATERAL ESTOPPEL, JUDICIAL
 EQUITABLE ESTOPPEL BY NEGLIGENCE OMNIBUS MOTIONS. A
 SUGGESTION OF (CRIMINAL) ERRORS COMPULSORY COUNTERCLAIM
 ASSERTED W/ COUNTERMAND TO VACATE PREVIOUS ORDERS. AN
 ONGOING AFFIRMATIVE MISCONDUCT PATTERN PROVED UP.

BASED ON GROUNDS SETTLING PARTIES, CLASS-BASED ANIMUS
 SHOWNED COPYRIGHT WILLFUL INFRINGEMENT ILLEGAL PER SE
 ACTS OF NEGLIGENT JOINT QUITS OFFENSES. TO SETTLE UP
 ROYALTY PAYMENTS W/ CLAIMANT(S). THRU MALICE MALICIOUS
 ACTS UNDUE INFLUENCES, POWER, REFUSAL TO DEAL, BLACKLISTED
 AND BOYCOTTED CLAIMANT(S) W/ FCC VIOLATIONS 18 USC
 CHAPTER 119 SECT 2510 - 2522 IN ESCAPABLE PERIL.

A CLAIM OF RECOGNIZANCE INITIATED & CONTROVERTED.

SETTLING PARTIES PERVASIVE LEGAL PREJUDICE
 PATTERN SHOWN ESP. JOINT SPORTS CLAIMANTS &
 MOTION PICTURE ASSOCIATION OF AMERICA INC.. THRU
 UNDUE PERSUASION CLANDESTINE MEANS INTIMIDATION
 CONCERTED ACTIONS. TO CONTINUELY DENY CLAIMANTS
 COMPULSORY, BLANKET LICENSES, & MEDIA ROYALTY
 PAYMENTS. FOR SETTLING PATTERN PARTIES NEGLIGENT
 IMMEDIATE BREACH JOINT QUASI OFFENSES. & ACTIVE
 FRAUDULENT CONCEALMENT. REPEATED BAD MOTIVES
 METUS MORAL & ECONOMIC DURESS CRIMINAL INTENT
 AGAINST VICTIM CLAIMANT(S) PHASE I & II ONGOING.

BASED ON CAUSATION EXISTED SETTLING PARTIES
 PURE & STATUTORY OBLIGATIONS CABLE & SATELLITE
 PERVASIVE PREDICATED PATTERN CAHOOTS CONSPIRACY.
 TO INCLUDE ALL & ANY SUCCESSORS AFFILIATES PATTERN
 MEANS, MOTIVE, & OPPORTUNITY AS ABOVE RETILATORY CONDUCT.

CLAIMANT(S) ENCUMBRANCE LEGAL CLAIM PROVED UP A
 STATUTORY CONCLUSIVE REBUTLE PRESUMPTION OF A PRIMA
 FACIE CASE VESTED RIGHTS. TO INCLUDE SUBSCRIPTION &
 NONSCRIPTION PREEXISTING SVCS.. MOTION FOR A FORMAL
 HEARING 37 CFR § 351.3(a) ABOVE \$10,000 OR MORE & ALT
 NOTICE OF APPEAL 5 USC § 556(e) IN ALL PROCEEDINGS IN THIS LTR.

DECLARATION IN CHIEF PRO SE A VERIFIED SUBSPONTE
 MOTION CLAIM OF RELIEF REDRESS EX PARTE AND FOR
 MULTIPLE DEPENDENT CLAIMS ON RECORD. FOR ROYALTY,
 FEES, BONUS, & TITLE 18 CHAPTER 119 SECTION 2518-2522 CLAIM
 & DELIVERY IN ALL & ANY PROCEEDS IN THIS LTR. EXIGENT MONEY
 DEMAND IN ARREARS, CURRENTLY, & FUTURE SUBSPONTE MOTION
 EX PARTE ORDERED. FROM THE 8 SETTLING PARTIES \$300 BILLION
 EACH, ^{STANDING &} STANDING THIRD PARTY \$50 BILLION EACH. A PRAYER FOR
 RELIEF WITH AN ADDITIONAL SPECIAL GENERAL PRAYER FOR RELIEF.

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EXHIBIT A
PG 1-7 ENCLOSED

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EXCLUSIVE RIGHTS LICENSE
INTELLECTUAL PROPERTY LICENSE
COMPULSORY LICENSES

CERTIFICATE OF SERVICE EX-PARTE TO:
COPYRIGHT ROYALTY JUDGES: PUT ONLINE
FOR ALL SETTLING PARTIES VIEWING.
PRO SE HEREBY CERTIFY EXPRESSED
MAIL ON 7.25.16 SENT

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FR: DAVID POWELL
David Powell PRO SE

...were to
cannot be
tates" were in-
section 2421 of this
eology.

I

c. (b), was re-
ib. L. 103-322, this
Stat. 1972.

ic. (b) and directed
substituting "(a)
in CHARGE IN CRIMINAL
for "(a) Whosoever",
is substitution for
intent of Congress
ction generally, re-
aph provisions for-
striking out subsec.

"Transportation of
it of minor female"
isting provision as
relating to conduct
minors for provi-
ing the coercion or
1 added subsec. (b).

Zone, see section 14

SEE SECTIONS

tions 14, 1961 of this

out alien individual
ins, controls, sup-
or place for the
or any other im-
individual within
dual has entered
country, party to
33, 1902, for the
e traffic, shall file
Immigration and
in writing setting
en individual, the
al is kept, and all
individual's entry
ort through which
t individual's age,
nd concerning that
me to this country
person; and
by days after com-
control, support, or
for the purpose of
r immoral purpose,
three years after
the United States
the said arrange-
of the white-slave
nt concerning such
ommissioner of Im-
a; or
rillfully states false-
statement any fact,
edge or belief with

reference to the age, nationality, or parentage of any such alien individual, or concerning that individual's procurement to come to this country—

Shall be fined under this title or imprisoned not more than two years, or both.

(b) In any prosecution brought under this section, if it appears that any such statement required is not on file in the office of the Commissioner of Immigration and Naturalization, the person whose duty it is to file such statement shall be presumed to have failed to file said statement, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by that person, or the information therein contained, might tend to criminate that person or subject that person to a penalty or forfeiture, but no information contained in the statement or any evidence which is directly or indirectly derived from such information may be used against any person making such statement in any criminal case, except a prosecution for perjury, giving a false statement or otherwise failing to comply with this section.

(June 25, 1943, ch. 645, 62 Stat. 813; Oct. 15, 1970, Pub. L. 91-452, title II, § 226, 84 Stat. 930; Nov. 7, 1986, Pub. L. 99-628, § 5(c), 100 Stat. 3511; Sept. 13, 1994, Pub. L. 103-322, title XXXIII, § 330016(1)(I), 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 402(2), (3) (June 25, 1910, ch. 395, § 6, 36 Stat. 826).

First paragraph of section 402 of title 18, U.S.C., 1940 ed., was omitted from this section and recommended for transfer to Title 8, Aliens and Nationality.

Words "shall be deemed guilty of a misdemeanor" were omitted as unnecessary in view of the definition of a misdemeanor in section 1 of this title. (See reviser's note under section 212 of this title.)

Minor changes were made in phraseology.

AMENDMENTS

1994—Subsec. (a), Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$2,000" in last par.

1986—Pub. L. 99-628, § 5(c)(1), substituted "individual" for "female" in section catchline.

Subsec. (a), Pub. L. 99-628, § 5(c)(2)-(4), (6), substituted "individual" for "woman or girl", "that individual" for "she", "that individual's" for "her", and "that person's" for "his" wherever appearing.

Subsec. (b), Pub. L. 99-628, § 5(c)(5), substituted "that person" for "him" wherever appearing.

1970—Subsec. (b), Pub. L. 91-452 substituted provisions that no information contained in the statement or any evidence directly or indirectly derived from such information be used against any person making such statement in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this section, for provisions that no person be prosecuted or subjected to any penalty or forfeiture under any law of the United States for or on account of any transaction, etc., truthfully reported in his statement.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-452 effective on sixtieth day following Oct. 15, 1970, and not to affect any immunity to which any individual is entitled under this section by reason of any testimony given before sixtieth day following Oct. 15, 1970, see section 260 of Pub.

1713.
1714.
1715.
1716.

Issuance of money orders
Repealed.
Firearms as nonmailable; regulations.
Injurious articles as nonmailable.

L. 91-452, set out as an Effective Date; Savings Provision note under section 6001 of this title.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Importation of aliens for immoral purposes as forbidden, see section 1328 of Title 8, Aliens and Nationality.

International agreement signed May 18, 1904, for the suppression of the white-slave traffic is set forth, with the adherence of the United States thereto, in 35 Stat. 1979.

Prevention of transportation in foreign commerce of alien women and girls under international agreement, see section 1557 of Title 8, Aliens and Nationality.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 14, 1961 of this title.

BIG

CHAPTER 119—WIRE AND ELECTRONIC COMMUNICATIONS INTERCEPTION AND INTERCEPTION OF ORAL COMMUNICATIONS

- | | |
|--------|--|
| Sec. | Definitions. |
| 2510. | Interception and disclosure of wire, oral, or electronic communications prohibited. |
| 2511. | Manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices prohibited. |
| 2512. | Confiscation of wire, oral, or electronic communication intercepting devices. |
| 2513. | Repealed. |
| [2514. | Prohibition of use as evidence of intercepted wire or oral communications. |
| 2515. | Authorization for interception of wire, oral, or electronic communications. |
| 2516. | Authorization for disclosure and use of intercepted wire, oral, or electronic communications. |
| 2517. | Procedure for interception of wire, oral, or electronic communications. |
| 2518. | Reports concerning intercepted wire, oral, or electronic communications. |
| 2519. | Recovery of civil damages authorized. |
| 2520. | Injunction against illegal interception. |
| 2521. | Enforcement of the Communications Assistance for Law Enforcement Act. |
| 2522. | |

AMENDMENTS

1994—Pub. L. 103-414, title II, § 201(b)(3), Oct. 25, 1994, 108 Stat. 4290, added item 2522.

1988—Pub. L. 100-690, title VII, § 7035, Nov. 18, 1988, 102 Stat. 4398, substituted "wire, oral, or electronic" for "wire or oral" in items 2511, 2512, 2513, 2516, 2517, 2518, and 2519.

1986—Pub. L. 99-508, title I, §§ 101(c)(2), 110(b), Oct. 21, 1986, 100 Stat. 1851, 1859, inserted "AND ELECTRONIC COMMUNICATIONS" in chapter heading and added item 2521.

1970—Pub. L. 91-452, title II, § 227(b), Oct. 15, 1970, 84 Stat. 930, struck out item 2514 "Immunity of witnesses", which section was repealed four years following the sixtieth day after Oct. 15, 1970.

1968—Pub. L. 90-351, title III, § 802, June 19, 1968, 82 Stat. 212, added chapter 119 and items 2510 to 2520.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1029, 2232 of this title; title 47 section 605; title 50 section 1805.

§ 2510. Definitions

As used in this chapter—

Forcible entry into railway or steamship
see section 2116 of this title.
Mail fraud, see sections 1341, 1342 of this title.

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MAY 12 2016

MAY 17 2016

EXHIBIT A PG10 of 7

EXHIBIT B

Petitions to participate in Phase II

Petitioner

Counsel

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**Single Claim for Cable Retransmission Royalty Fees
Deposited for 2015**

IMPORTANT: In order for your claim to be effective, you must file this claim form during July 2016 or on August 1, 2016. You must use this form only. You must provide all of the information requested in each item on this form.

CLAIM: The copyright owner claimant named herein files with the Copyright Royalty Board a claim to royalty payments collected from cable television systems retransmitting copyrighted programming contained on over-the-air television and radio broadcast signals. This claim to royalties is for fees collected from cable television systems during calendar year 2015. The claimant files this claim in accordance with section 111 of the Copyright Act (17 USC 111) and with subpart A of Part 360 of the Copyright Royalty Board regulations (37 CFR 360.1-360.5).

1

FILER'S FULL NAME AND ADDRESS: Provide full legal name and address (including specific number, street, and zip code).

DAVID POWELL JR. P.O. BOX 010950 MIAMI, FL 33101
532 N. MIAMI AVE #16 MIAMI, FL 33136

Telephone number of the person or entity filing the claim: 305 539-1755

Facsimile number, if any, of the person or entity filing the claim:

Email address, if any, of the person or entity filing the claim:

2

COPYRIGHT OWNER'S FULL NAME AND ADDRESS: Provide full legal name and address (including specific number, street, and zip code). Do not include names of subsidiaries, parent companies, etc., if they are not the copyright owner entitled to royalties.

☒ Check here if the copyright owner is the same person or entity identified in paragraph 1 as filing the claim.

NOTE: Performing rights organizations do not have to list the names of their members and affiliates.

3

CONTACT PERSON: Include name, phone, fax, if any, and email, if any:

DAVID POWELL
305 539-1755

4

GENERAL STATEMENT: Provide the nature of the copyright owner's works (e.g., motion pictures, syndicated television series, devotional programs, sports broadcasts, music, news, other station-produced programming).

LITERARY WORK, COMPOSITION & PROPERTY LOOK & FEEL PROTECTION, ADAPTION
& DISPLAY RIGHTS, RIGHT OF PUBLICITY, SOUND & AUDIO RECORDING, NARROW CAST
VOICE & AUDIO ACTIVATED INTERACTIVE DIGITAL COMMUNICATION & HOST SVC.
VISUAL ARTIST VIDEO & WEB CASTING SKYPE IPR SYNDICATED SERIES CYBER
INTERNET COMPUTER, CYBER SQUATING GENERATED THRU TV (IE'S) LICENSE
EXCLUSIVE, COMPULSORY STATUTORY SHRINK WRAP GRANT BACK OR LICENSING
NO SALE AUTHORIZING PERMISSION WILLFUL INFRINGEMENT TO THEIR
SUBSCRIBERS LIST IPR, PERFORMANCE RIGHTS SERVITUDE & SERIAL RIGHTS.
LIVE STREAMING



Single Claim for Satellite Retransmission Royalty Fees Deposited for 2015

IMPORTANT: In order for your claim to be effective, you must file this claim form during July 2016 or on August 1, 2016. You must use this form only. You must provide all of the information requested in each item on this form.

CLAIM: The copyright owner claimant named herein files with the Copyright Royalty Board a claim to royalty payments collected from satellite carriers retransmitting copyrighted programming contained on over-the-air television broadcast signals. This claim to royalties is for fees collected from satellite carriers during calendar year 2015. The claimant files this claim in accordance with section 119 of the Copyright Act (17 USC 119) and with subpart B of Part 360 of the Copyright Royalty Board regulations (37 CFR 360.10-360.15).

1

FILER'S FULL NAME AND ADDRESS: Provide full legal name and address (including specific number, street, and zip code).

DAVID POWELL JR. PO. BOX 010950 MIAMI, FL 33101;
532 N. MIAMI AVE. #16 MIAMI, FL 33136

Telephone number of the person or entity filing the claim:

305 539-1755

Facsimile number, if any, of the person or entity filing the claim:

Email address, if any, of the person or entity filing the claim:

2

COPYRIGHT OWNER'S FULL NAME AND ADDRESS: Provide full legal name and address (including specific number, street, and zip code). Do not include names of subsidiaries, parent companies, etc., if they are not the copyright owner entitled to royalties.

☒ Check here if the copyright owner is the same person or entity identified in paragraph 1 as filing the claim.

NOTE: Performing rights organizations do not have to list the names of their members and affiliates.

3

CONTACT PERSON: Include name, phone, fax, if any, and email, if any:

DAVID POWELL
305 539-1755

4

GENERAL STATEMENT: Provide the nature of the copyright owner's works (e.g., motion pictures, syndicated television series, devotional programs, sports broadcasts, music, news, other station-produced programming).

LITERARY WORK, COMPOSITION, PROPERTY LOOK & FEEL PROTECTION, ADAPTION, DISPLAY RIGHTS, RIGHT OF PUBLICITY, SOUND & AUDIO RECORDING, NARROW CAST VOICE & AUDIO ACTIVATED INTERACTIVE DIGITAL COMMUNICATION & HOST SVC, VISUAL ARTIST VIDEO, WEB CASTING, SKYPE IPR SYNDICATED SERIES LIVE STREAMING CYBER SQUATING CYBER INTERNET COMPUTER GENERATED THRUTY. (12'S) LICENSE EXCLUSIVE COMPULSORY STATUTORY SHRINK WRAP GRANT BACK OR LICENSING NO SALE AUTHORIZING PERMISSION WILLFUL INFRINGEMENT TO THEIR SUBSCRIBERS LIST IPR. PERFORMANCE RIGHTS SERVITUDE & SERIAL RIGHTS.

PG 4

Dear Publisher:

Your application to participate in the EPCN program for

Pubname: "david c. powell jr."
was successfully transmitted to the Library of Congress

765

CONTINUOUS ACTION
CASE NO. REQUEST

8-7-06

Approved by OMB
3060-0874

Estimated time per response: 15 minutes

Federal Communications Commission
Washington, DC 20554

FCC Form 475B

Obscene, Profane, and/or Indecent Material Complaint Form

Consumer's Information:

*Name: DAVID POWELL
*Address: P.O. BOX 010950
MIAMI, FL 33101

E-Mail Address: _____

Daytime Telephone Number: 305 539-1755

To speed the processing of your complaint, please provide as much as possible of the information marked below with an asterisk (*). This information is not required but providing it should eliminate our need to contact you for more information. Information not marked with an asterisk (*), if available, is also helpful. By including as much detail as possible, we will be able to act more quickly on your complaint.

- (1) Date of Program: ONGOING SINCE 1986
(2) Time of Program: ONGOING SINCE 1986
(3) Network: ALL NETWORKS, STATIONS, CHANNELS HAITIAN
SPANISH
ENGLISH
(4) Call Sign, Channel OR Frequency of the station on which you viewed/heard the material: ALL CHANNELS 1-INFINITY
(5) City and State Where Program was Viewed: MIAMI, FLORIDA
(6) Name of Program or DJ/Personality/Song/Film: _____

*Please include below as many details as possible in order to help the FCC determine whether the material was obscene, profane, or indecent (such as specific words, language, images, etc.):

SHAKEDOWN STRONGLY CORROBORATED.
SUBSTANTIAL-FACTOR TEST
CAUSATION EXIST. MODEL PENAL
CODE § 5.01(1)(C) SUBSTANTIAL-STEP
TEST. SUBSTANTIAL-CONTINUITY DOCTRINE.
INVESTIGATORY POWERS FOR BEARANCE.
SUFFICIENCY-OF-THE-EVIDENCY TEST

PG 6



LIBRARY OF CONGRESS

Copyright Royalty Board

[Docket Nos. 2007-3 CRB CD 2004-2005, 2008-4 CRB CD 2006, 2009-5 CRB CD 2007, 2010-6 CRB CD 2008, 2011-7 CRB 2009; 2010-2 CRB SD 2004-2007, 2010-7 CRB 2008, 2011-8 CRB SD 2009]

Distribution of the 2004-2009 Cable and Satellite Royalty Funds

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Notice requesting comments on Phase I and II controversies and soliciting objections on motions for further distribution.

SUMMARY: The Copyright Royalty Judges are soliciting objections on motions of the Phase I claimants for further distributions in connection with the 2004-2009 cable and satellite royalty funds as well as requesting comments as to the existence of Phase I and Phase II controversies with respect to the distribution of these royalty funds.

DATES: Comments and objections are due on or before January 26, 2012.

ADDRESSES: Comments and objections may be sent electronically to crb@loc.gov. In the alternative, send an original, five copies, and an electronic copy on a CD either by mail or hand delivery. Please do not use multiple means of transmission. Comments and objections may not be delivered by an overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery), comments and objections must be addressed to: Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, comments and objections must be brought to the Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue SE., Washington, DC 20559-6000. If delivered by a commercial courier, comments and objections must be delivered to the Congressional Courier Acceptance Site located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue SE., Washington, DC 20559-6000.

FOR FURTHER INFORMATION CONTACT: LaKeshia Keys, Program Specialist, by telephone at (202) 707-7658 or by email at crb@loc.gov.

SUPPLEMENTARY INFORMATION:

Background

Each year cable systems and satellite carriers must submit royalty payments to the Copyright Office as required by the statutory licenses set forth in sections 111 and 119, respectively, of the Copyright Act, title 17 of the United States Code, for the retransmission to cable and satellite subscribers of over-the-air television broadcast stations (cable subscribers also receive radio broadcast signals). These royalties are then distributed to copyright owners whose works were included in such a qualifying transmission and who timely filed a claim for royalties. Distribution of the royalties for each calendar year is conducted by the Copyright Royalty Judges in two phases. At Phase I, the royalties are divided among the representatives of the major categories of copyrightable content (movies, sports programming, music, etc.) requesting the distribution. At Phase II, the royalties are divided among the various copyright owners within each category. Distribution of royalties in any given royalty year may be made through a negotiated settlement among the parties. 17 U.S.C. 111(d)(4)(A), 119(b)(4)(A).¹ However, the claimants do not reach an agreement with respect to the proper distribution of the royalties, either at Phase I or Phase II, the Copyright Royalty Judges are required to conduct a proceeding to determine the distribution of any royalties that remain in controversy. 17 U.S.C. 111(d)(4)(B), 119(b)(4)(B).

Notices of Phase I Settlement and Motions for Further Distribution

On November 4, 2011, representatives of the Phase I claimant categories (the "Phase I Parties")² filed with the Judges separate "Phase I Parties' Notice of Phase I Settlement and Motion for Further Distribution"³ with respect to

¹ The "Phase I Parties" with regard to the motion for cable royalties are the Program Suppliers, Joint Sports Claimants, Public Television Claimants, Commercial Television Claimants, Canadian Claimants Group, Music Claimants (American Society of Composers, Authors and Publishers; Broadcast Music, Inc.; and SESAC, Inc.), Devotional Claimants, and National Public Radio.

² Public Television Claimants, Canadian Claimants Group, and National Public Radio are not signatories to the motion for distribution of satellite royalties as they are not eligible to receive these royalties.

³ The further distributions are requested pursuant to section 801(b)(3)(A) of the Copyright Act, which allows the Judges to authorize the distribution of cable and satellite royalties "to the extent that the Copyright Royalty Judges have found that the distribution of such fees is not subject to controversy." 17 U.S.C. 801(b)(3)(A). Prior partial distributions of 50% of the cable and satellite royalties have been made for each of the years 2004-2009 pursuant to section 801(b)(3)(C). See *Distribution Orders* cited *infra*.

the 2004-2009 cable and satellite royalty funds. Specifically, the Phase I Parties stated that they had reached a global "settlement of all outstanding Phase I controversies regarding distribution of the 2004-2009" cable and satellite royalty funds. Motions at 2. Consequently, they requested that the Judges: (1) Reserve specified amounts (\$20 million of the cable royalties and \$13 million of the satellite royalties)—to be divided equally among each of the six years—to satisfy previously identified Phase II controversies and (2) authorize the lump-sum distribution of all remaining 2004-2009 cable and satellite royalties to the Phase I Parties through a common agent. *Id.* The reserve amounts³ would be allocated among three categories in which Phase II controversies have been identified previously. With regard to the cable royalties, the reserve amounts would be: \$3 million for the Program Suppliers category; \$1 million for the Joint Sports category; and \$16 million for the Devotional category. Cable Motion at 4. Similarly, the reserve amounts for the satellite royalties would be: \$3 million for the Program Suppliers category; \$1 million for the Joint Sports category; and \$9 million for the Devotional category. Satellite Motion at 4.

The Independent Producers Group ("IPG") opposes both of the Phase I Parties' motions. IPG, which has asserted Phase II claims in each of the categories for which reserve amounts are proposed, bases its opposition, in part, on its concerns that the proposed reserve amounts are inadequate to resolve outstanding Phase II claims. See IPG Opposition at 4-5.

On December 14, 2011, the Judges held a hearing on the Phase I Parties' motions, where the Phase I Parties and IPG reiterated their respective positions. In light of IPG's continued opposition to the Phase I Parties' motions and to determine whether any other controversies with respect to the 2004 through 2009 cable and satellite royalty funds may be outstanding, the Judges are directing publication of this notice. In particular, the Judges solicit comments to determine whether there are any controversies, either at Phase I or Phase II, with respect to each of the royalty funds that are the subject of the motions (*i.e.*, cable or satellite 2004 through 2009).

³ As of October 27, 2011, the remaining 50% for the 2004-2009 cable royalties amounted to approximately \$482 million and the remaining 50% for the 2004-2009 satellite royalties amounted to approximately \$270 million.

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CABLE \$ 922 mill 100%
SATELLITE \$ 540 mill 100%